

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARION A. HECHT, as Receiver for	:	
Joseph Forte, L.P.,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	NO. 10-1374
v.	:	
	:	
MALVERN PREPARATORY SCHOOL,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 26th day of August, 2010, upon consideration of the Receiver's Motion to Dismiss Counterclaim (*Doc. No. 17*), Defendant's Response in Opposition (*Doc. No. 19*), the Receiver's Reply (*Doc. No. 21*), and all related documents, it is hereby **ORDERED** that the Receiver's Motion is **GRANTED**.

Counts I and II of Defendant's Counterclaim are hereby **DISMISSED**.

IT IS SO ORDERED.

/s/ Paul S. Diamond

Paul S. Diamond, J.